

REMARKS

In the Office Action mailed April 17, 2009 the Office noted that claims 1-17 were pending and rejected claims 1-17. Claims 1-17 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 1-17 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 112

Claims 1-17 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular, the Office asserts that the means for recites structure rather than function.

The Applicant has amended the claims to remove the means plus language. The Applicant has amended the claims to replace signal transmission - receptions means with signal transmitter receiver. Support may be found, for example, in ¶ 0048 of the printed publication version of the Specification. Support for the amendment of means to determine ..., may be found for example, in ¶¶ 0048-0053. Support for the processor may be found, for example, in ¶¶ 0023 and 0048 and Fig. 1. The Applicants submit that no new matter is believed to have been added by the amendment.

Withdrawal of the rejection is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 112. It is also submitted that claims 1-17 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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